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FILED
DISTRICT COURT OF GUAM
MAR 24 2004
MARY L. M. MORAN
CLERK OF COURT

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DISTRICT COURT OF GUAM

TERRITORY OF GUAM

KAIOH SUISAN CO., LTD.

Civil Case No. CV02-00021

Plaintiff,

vs.

GUAM YTK CORP.,

ORDER

Defendant.

This matter came before the Court on a Renewed Summary Judgment Motion filed by the plaintiff, Kaioh Suisan Co., Ltd. The plaintiff claims that it is entitled to summary judgment because the defendant failed to timely file its Trial Brief and has otherwise failed to raise material issues of fact requiring a trial. Although the defendant did indeed file its Trial Brief late that alone is not enough to entitle the plaintiff to summary judgment.

In this Court's earlier Order denying plaintiff's motion summary judgment, the Court found there were facts in dispute. The plaintiff fails to add anything new in this motion to demonstrate that the factual disputes have been eliminated. Accordingly, the Court denies the Renewed Motion for Summary Judgment. The Court notes that all trial documents have been lodged and filed and that this matter is ready for trial. Therefore, the final pretrial conference is

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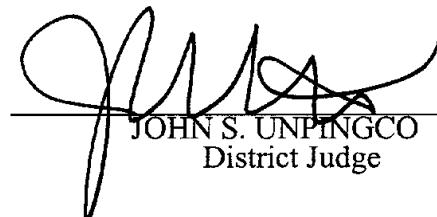
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1 scheduled for June 22, 2004 at 3:00 p.m. and the trial shall commence on June 29, 2004 at 9:30
2 a.m.

3 IT IS SO ORDERED.

4 Dated this 24th day of March, 2004.

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JOHN S. UNPINGCO
8 District Judge
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